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Atty. Docket: NL 000522

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: VERDONCK et al.

Examiner: Church, Craig E.

Serial No.: 09/966,415

Group Art Unit: 2882

Filed: September 28, 2002

For: METHOD AND X-RAY APPARATUS FOR OPTIMALLY IMAGING
ANATOMICAL PARTS OF THE HUMAN ANATOMY

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181(a)**

Sir:

Applicants hereby Petition to Withdraw Holding of Abandonment Under 37 CFR

1.181(a). Applicants reviewed the Notice of Abandonment, mailed July 27, 2003 (copy attached (2 sheets)), abandoning the above-identified application for failure to file a proper reply to the Office Action mailed on November 5, 2002. Applicants respectfully assert that there was no abandonment in fact.


In particular, Applicants agent, George Likourezos (40,067) of Carter, DeLuca, Farrell & Schmidt, mailed an Amendment with a Certificate of Mailing Under 37 CFR 1.8, dated December 9, 2002 (see attached copy including copy of postcard (9 sheets)). As indicated by the 1.8 Certificate, as well as the copy of the post card received by Applicants and date stamped to indicate receipt by the Patent Office (copy attached (1 sheet)), the Amendment was duly received by the Patent Office on December 16, 2002.

An Advisory Action thereafter issued from the Patent Office on January 14, 2003, indicating that the Applicant's response to the final rejection, filed on December 16, 2002, had been considered but not deemed to place the case in condition for allowance (copy attached (2 sheets)).

On February 4, 2003, Applicants filed an RCE with this case by facsimile transmission, and received an Auto-Reply Facsimile Transmission indicated that the RCE was received by the Patent Office at 10:57 EST on February 4, 2003 (copy attached (3 sheets)).

In view of the above, Applicants contend that there was no abandonment in fact, and respectfully request that the Holding of Abandonment be withdrawn, the Amendment be entered, and the application be examined on the merits.

Respectfully submitted,


By _____
John Vodopia, Reg. 36,299
Attorney
(914) 333-9627

Enc.: Copy of Notice of Abandonment Dated 07/23/2003
Copy of Amendment With Certificate of Mailing Dated Dec. 9, 2002
Copy of Return-Receipt Postcard indicated received by Patent Office on 12/16/02
Copy of Advisory Action Mailed January 14, 2003
Copy of RCE and Auto Reply Facsimile Transmission dated February 4, 2003

CERTIFICATE OF MAILING

It is hereby certified that this correspondence
is being deposited with the United States Postal Service
as first-class mail in an envelope addressed to:
COMMISSIONER FOR PATENTS
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On 09/10/2003

By J. J. J. J. J.

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